

REMARKS/ARGUMENTS

Reconsideration and allowance of the present application based on the following remarks are respectfully requested. Claims 1, 11, 24, 29, and 33 have been amended. Support for the amendments may be found throughout the specification. No new matter has been added as a consequence of these amendments.

Claims 1-4, 7, 9-26, and 29-34 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant submits that the amendments to the claims address this rejection, and that the pending claims are in full compliance with 35 U.S.C. §112, second paragraph.

Claims 1-3, 7, 9-12, 14-20, 24-26, 29, 31, and 33-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,610,811 ("Westfechtel") in view of U.S. Patent No. 4,985,535 ("Takada") and U.S. Patent No. 4,395,530 ("Hammond") and further evidenced by U.S. Patent No. 3,264,236 ("Santaniello"). Claims 4, 13, 23 and 29-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Westfechtel in view of Takada, Hammond, and Santaniello and in view of JP-2003-013032 ("Tetsuo"). Claims 21 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Westfechtel in view of Takada, Hammond, and Santaniello and in view of U.S. Patent No. 5,994,493 ("Krebs"). For at least the following reasons, the claims are believed to be patentable over the cited references.

As we note that all of the claims stand rejected in view of at least Westfechtel and Takada, Applicants will address these below.

The Examiner acknowledges, on pages 3-4 of the present Official Action, that Westfechtel's NCO:OH ratio of 1.2:1 to 0.8:1 does not suggest the specified ratios of the pending claims and that Westfechtel fails to disclose the NCO content of the claimed adhesive. Accordingly, the Examiner must rely on Takada.

Applicants note that unlike the polyesters of the pending claims, the polyesters of Takada must have a molecular weight in the range of between 8,000 to 25,000 (see Takada at Abstract). In fact, Takada teaches away from utilizing polyesters having a molecular weights of less than 8,000, because - according to Takada - "the initial physical properties will not be sufficiently satisfactory, and also,

the melt viscosity will be too low" (see Takada at col. 2, line 62 to col. 3, line 3). Accordingly, even assuming arguendo that one were to combine Westfechtel and Takada, the skilled artisan would not choose polyesters having a molecular weight within the claimed range.

As neither Hammond, Santaniello, Tetsuo, nor Krebs, either alone or in combination with Westfechtel and Takada cure the above-noted deficiencies, Applicants submit that the pending claims are patentable over the cited art.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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